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JUL 29 2009

OFFICE OF PETITIONS

In re Application of
Fukashi Urakami
Application No. 10/528,384
Filed: January 3, 2006
Attorney Docket No. I-215

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ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed June 4, 2009, to revive the above-identified application.

The petition is **DISMISSED**.

Any request for reconsideration of this decision must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition under 37 CFR 1.137(b)." This is **not** a final agency action within the meaning of 5 U.S.C. § 704.

A grantable petition under 37 CFR 1.137(b) must be accompanied by: (1) the required reply, unless previously filed; (2) the petition fee as set forth in 37 CFR 1.17(m); (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional; and (4) any terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)) required by 37 CFR 1.137(c). Where there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137 was unintentional, the Director may require additional information. See MPEP 711.03(c)(III)(C) and (D).

The petition lacks item 2 above.

It is noted that petitioner included a fee payment of \$305; however, the total fee required was \$860 (\$810 for the requisite petition fee and \$50 for the balance of the RCE filing fee). The \$305 was first applied to the \$50 fee deficiency for the RCE filing fee, leaving a balance of \$255 to be applied towards the requisite \$810 petition fee. The petition did not include an authorization to charge any fee deficiencies to a deposit account. Consequently, no consideration of the petition can be given until the \$555 fee deficiency is received.

Further correspondence with respect to this matter should be delivered through one of the following mediums:

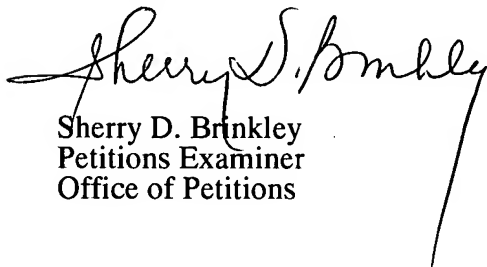
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By Internet: EFS-Web¹

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3204.



Sherry D. Brinkley
Petitions Examiner
Office of Petitions

¹ www.uspto.gov/ebc/efs_help.html (for help using EFS-Web call the Patent Electronic Business Center at (866) 217-9197)